

PRESENT

Commissioner Lynn Bowers
Commissioner Kathy Carter
Commissioner Doug Howard
Commissioner Rodney Williams
Mayor May

(5)
(0)

ABSENT

The meeting was called to order by Mayor May. The Rev. Jackson Brewer, First United Methodist Church, gave the invocation. The Pledge of Allegiance was recited.

It was moved by Commissioner Bowers, seconded by Commissioner Howard, that the minutes of the April 28, 2008 Regular Meeting and the May 12, 2008 Work Session be adopted as presented. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Mayor May reported on upcoming National Public Works Week activities.

Mayor May and Fire Chief Wallace Possich recognized Battalion Chief Daniel Miller, who is retiring with 27 years of service. Also recognized was Floyd L. Gillis, promoted to Sergeant; Ryan C. Fisher, promoted to Lieutenant; Charles H. Thompson, promoted to Captain; and Tim Warman, promoted to Battalion Chief.

State Representative Derrick Graham presented a big check in the amount of \$733,000 to continue work on the Holmes Street project. These funds were allocated by the General Assembly in the 2009-10 Biennial Budget.

“AN ORDINANCE AMENDING THE CITY OF FRANKFORT CODE OF ORDINANCES, CHAPTER 151 – SUBDIVISION AND DEVELOPMENT PLAN REGULATIONS - ORDINANCE NO. 41, 2007 SERIES, ORDINANCE NO. 26, 2007 SERIES, ORDINANCE NO. 20, 2006 SERIES, ORDINANCE NO. 23, 2005 SERIES, AND ORDINANCE NO. 3, 2004 SERIES, SPECIFICALLY TO AMEND SECTION 7.02.03.A.1. TECHNICAL REVIEW TEAM AND SECTION 7.02.04 CONSTRUCTION REVIEW TEAM AS INDICATED IN THE ATTACHMENT OF THIS ORDINANCE” was presented and read. This Ordinance had it first reading on April 28, 2008. It was moved by Commissioner Howard, seconded by Commissioner Williams, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 9 2008 Series).

“AN ORDINANCE AMENDING THE CITY OF FRANKFORT CODE OF ORDINANCES, CHAPTER 151 – SUBDIVISION AND DEVELOPMENT PLAN REGULATIONS - ORDINANCE NO. 41, 2007 SERIES, ORDINANCE NO. 26, 2007 SERIES, ORDINANCE NO. 20, 2006 SERIES, ORDINANCE NO. 23, 2005 SERIES, AND ORDINANCE NO. 3, 2004 SERIES, SPECIFICALLY TO AMEND SECTIONS 2.07.03.C AND 3.07.03.C OF THE FRANKFORT-FRANKLIN COUNTY SUBDIVISION AND DEVELOPMENT PLAN REGULATIONS TO INCREASE THE MAXIMUM HEIGHT OF STREET LIGHTS TO 35’ FOR NEW NON-RESIDENTIAL ROADWAYS, AS INDICATED IN THE ATTACHMENT OF THIS ORDINANCE” was presented and read. . This Ordinance had it first reading on April 28, 2008. It was moved by Commissioner Howard, seconded by Commissioner Williams, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 10, 2008 Series).

“AN ORDINANCE AMENDING ORDINANCE NO. 18, 2007 SERIES, AND FRANKFORT CODE OF ORDINANCES CHAPTER 37.32 PAY PLAN (SALARY ORDINANCE)” was presented and read.

“AN ORDINANCE RELATING TO THE IMPOSITON AND ADMINISTRATION OF AN OCCUPATIONAL LICENSE REQUIREMENT AND PAYMENT OF AN OCCUPATIONAL LICENSE TAX BY PERSONS AND A NET PROFITS TAX ON BUSINESS ENTITIES OR PERSONS CONDUCTING BUSINESS OR ENGAGING IN BUSINESSES, OCCUPATIONS AND PROFESSIONS WITHIN THE CITY OF FRANKFORT” was presented and read.

“AN ORDINANCE APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR FISCAL YEAR 2008-2009” was presented and read.

“AN ORDER ADOPTING THE PROVISIONS AND REQUIREMENTS AND REGULATIONS OF THE FEDERAL TRANSIT ADMINISTRATION DRUG AND ALCOHOL RULE FOR THE FRANKFORT TRANSIT SYSTEM EMPLOYEES” was presented. It was moved by Commissioner Carter, seconded by Commissioner Williams, that the Order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Order No. 7, 2008 Series).

“RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR 2008 KENTUCKY HOMELAND SECURITY GRANT FUNDS AND UPON APPROVAL TO ENTER INTO AN AGREEMENT WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY, AND DESIGNATING THE MAYOR TO EXECUTE ALL DOCUMENTS PERTAINING TO THIS GRANT” was presented. It was moved by Commissioner Carter, seconded by Commissioner Howard, that the Resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Resolution No. 11, 2008 Series).

The following miscellaneous and personnel items were presented:

- 6.1 Approved an Agreement with Blue Grass Community Action Partnership, Inc. (BGCA) for public transportation services and authorizing the Mayor to sign the Agreement; public transportation to be provided for recipients of Medicaid, Transitional Assistance, Department for the Blind, and Department for Vocational Rehabilitation, the City must participate in the State program to provide public transit to these groups (Public Works);
- 6.2 Authorized partial Release of Sewer Easement in favor of Kentucky Association of Counties, Inc. (KACo) on KACo property between Lot Nos. 9 and 10, Englewood Business Center; the Sewer Department has determined that the subject sewer easement is unnecessary to its operations (Sewer Department);
- 6.3 Authorized the disposal of surplus property by public auction to be held June 14, 2008 at the City Garage on 301 Bald Knob Road; proceeds to generate approximately \$20,000 revenue for the City of Frankfort (Finance);
- 6.4 Authorized the Mayor to sign an agreement with Timberlake Auction Services to perform the City auction, June 14, 2008; Auctioneer's service cost to be 10% of the sale proceeds (Finance);
- 6.5 Authorized bid Award for 2008 Street Resurfacing Project to H.G. Mays, Inc. for \$56.95/ton for surface mix; total cost approximately \$249,000; funds available in the Municipal Aid Account No. 535.00.51100;
- 6.6 Accepted bid and awarded sale of 0.0088 acre sliver (354 Sq. ft.) from Lot 2, 122 Leonardwood Drive to adjoining property owner, and authorized the Mayor to execute the real estate contract for the sale; sale proceeds up to the offered amount to return to the Frankfort Housing Corporation Account (Old Urban Renewal Program) – No. 540-00-51100, and this proposed sliver will not negatively effect the sale of the remaining 3.99 acre lot (City Manager);
- 6.7 Authorized Amendment #2 awarding additional funds to the engineering contract with GRW Engineers for the design of the new Pump Station along the US 421 corridor to replace the Industrial Park Pump Station; cost of \$331,858 brings total revised contract amount to \$530,950; funds are available in Account No. 450.68.56550 (Sewer Department);

- 6.8 Authorized funding of the purchase of 911 consoles and office furniture for the new Public Safety Building; total cost of \$68,950.01 to be paid with E911 Funds, Account No. 590.00.51100; items to be purchased under Kentucky State Price Contract No. BP008497 (Communications);
- 6.9 Authorized a contract award for \$40,000 to Leak Eliminators for pipe-bursting a 390-foot segment of 6-inch Orangeburg pipe, replace with an 8-inch High Density Polyethylene Pipe, and install 4 manholes; work necessary to support Turnberry Gardens development; contractor is financially participating; funds available in Account No. 400.68.53295 (Sewer Department);
- 6.10 Authorized bid award to Geoghegan Roofing Corporation in the amount of \$93,955 to replace a portion of the roof on the administration building at the wastewater treatment plant; funding is available in Account No. 300.68.53295 (Sewer Department);
- 6.11 Authorized a Sewer Extension Contract with Lakeland Properties, Ltd., as owner of The Apartments at Duckers at 98 Buena Vista Drive in Frankfort, Franklin County, Kentucky; property is zoned residential development of 24 apartment units on one lot, with improvements including 3 new manholes, 442 feet of 8-inch SDR 35 pipe serving said lot; William R. Pulliam, owner, has signed the contract and Division of Water has approved the sanitary sewer plans and specifications; final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed (Sewer Department);
- 6.12 Approved Corps of Engineers Permit application to allow the Frankfort Plant Board to construct a 3" water line within the South Frankfort Floodwall right-of-way; proposed water line to serve the City's Public Safety Building and the residents along Riverview Court; the Corps of Engineers requires the City of Frankfort sign the permit form prior to Corps of Engineers review and approval (Public Works);
- 6.13 Re-authorizes Item No. 1 on the 2008 pool chemical bid to O.P. Aquatics, the second lowest bidder; low bidder cannot meet required production; O.P. Aquatics bid price of \$97.85 per drum, a per drum cost difference of \$6.55 per drum (Parks and Recreation);
- 6.14 Authorized the following personnel actions:
 - Promotion of Floyd L. Gillis, Jr., effective 6-3-08, to Sergeant (Fire Department)
 - Promotion of Ryan C. Fischer, effective 6-3-08, to Lieutenant (Fire Department)
 - Promotion of Charles H. Thompson, effective 6-3-08, to Captain (Fire Department)
 - Promotion of Tim Warman from Captain to Battalion Chief (Fire Department)
 - Confirmation of Darius B. Hankins, effective 5-1-08, to position of Patrol Officer I (Police Department)
 - Retirement of Daniel Miller, effective 5-31-08, and authorized payment of all accrued time as of effective date

It was moved by Commissioner Howard, seconded by Commissioner Carter, that the Consent Agenda be approved. All members being present, the motion to approve the consent agenda was adopted without objection.

It was moved by Commissioner Howard, seconded by Commissioner Carter, to approve a Contract to Purchase the Real Estate at 226 West Second Street from Hines & McDonald, LLC. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Carter, seconded by Commissioner Williams, to authorize a 270-day Option to Purchase Contract with Frankfort Land Associates, LLC, for Lot No. 2, 122 Leonardwood Drive. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Norman Snider offered comments concerning Agenda Item 7.1 and parking and routing of traffic for the Public Safety Building. City Manager to work with Mr. Snider regarding his concerns.

Comments were made by Commissioners Bowers regarding Agenda Item 11.1 (Personnel action) and Commissioner Williams concerning Agenda Item 7.1 (Real Estate purchase). Discussion followed.

It was moved by Commissioner Bowers, seconded by Commissioner Carter, to go into closed session per KRS 61.810 (1)(f), Personnel. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted, and the meeting went into closed session at 6:06 p.m.

The meeting returned to open session at 6:28 p.m. with all members present.

It was moved by Commissioner Williams, seconded by Commissioner Carter, that Transit Employee Sue Chipman be terminated from city employment. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Bowers, seconded by Commissioner Howard, that the meeting adjourn. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted, and the meeting was adjourned at 6:32 p.m.

Mayor

Attest:

City Clerk